

TRANSFER OF COASTAL VESSELS

Agreement signed at Seoul May 18, 1949

Entered into force May 18, 1949

Obsolete

Department of State files

BALTIC COASTAL VESSEL AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF KOREA AND THE UNITED STATES OF AMERICA

This Agreement entered into between the Republic of Korea (hereinafter called the Government) and the United States of America (hereinafter called the United States) WITNESSETH THAT:

WHEREAS the Government wishes to obtain the use of certain coastal vessels for the purpose of the economic rehabilitation of Korea, and to assist in maintaining the economic and political stability of Korea, and

WHEREAS the United States is willing to make available for this purpose to the Government seven (7) N-3 type Baltic coastal vessels, namely, CHARLES F. WINSOR, ELISHA WHITNEY, JOHN D. WHIDDEN, KIMBALL R. SMITH, NORTHERN EXPLORER, RICHARD W. DIXIE, and WILLIAM LESTER,

In consideration of the premises and the mutual agreements and covenants hereinafter stated the undersigned, being duly authorized by their respective Governments for that purpose, have agreed as follows:

The United States agrees to furnish to the Government the above described vessels for the purposes above described, and subject to the following terms and conditions:

1. The vessels will remain the property of the United States and the Government will return, or cause to be returned, any or all of such vessels to the designated representative of the United States immediately upon request by the Chief of the Economic Cooperation Administration, Mission to Korea, or other authorized representative of the United States.

2. Upon delivery of the vessels to the Government, or person designated by it, the Government shall assume full responsibility for expenses of maintenance and operation of the vessels.

3. An inventory will be taken of all supplies, equipment and spare parts when the vessels are made available to the Government, and a similar inventory will be taken at the time they are returned to the United States.

4. Subject to the provisions of paragraph 7, the vessels will be returned by the Government to the United States in as good condition as that in which received, making allowance for reasonable wear and tear. All supplies, equipment and spare parts furnished by the United States with the vessels will be returned with the vessels or compensation made therefor by the Government.

5. The Government will assume, indemnify and hold harmless the United States against any and all liabilities of whatsoever nature or kind, without limitation, arising out of the control or operation of the vessels.

6. This Agreement may be terminated by the Government or the United States on sixty (60) days' notice in writing, or immediately, under the following conditions:

(a) upon a determination by the President of the United States that such termination is necessary in the interest of national security, or

(b) if the Administrator, pursuant to Section 118 of the Foreign Assistance Act of 1948,¹ terminates the provision of assistance to Korea.

7. In the event a vessel is totally lost, the United States may, under certain circumstances, waive the liability of the Government with respect to such loss.

8. Except to the extent otherwise authorized in writing by the Chief of the Economic Cooperation Administration, Mission to Korea, or other authorized representative of the United States, the vessels will be operated only in coastal waters of the Republic of Korea.

9. The Government will make arrangements for such supervision of the operations of the vessels and for the carrying out of such technical training programs for Korean officers and crews for the vessels as may be requested and approved by the Chief of the Economic Cooperation Administration, Mission to Korea, or other authorized representative of the United States. Representatives of the United States may, at any time, inspect the condition of the vessels.

Done in duplicate, in the English and Korean languages at Seoul, Korea, this 18th day of May 1949. The English and Korean texts shall have equal force, but in the case of divergence, the English text shall prevail.

For the Government of the United States of America.

By:

ARTHUR C. BUNCE

For the Government of the Republic of Korea:

By:

HUI CHUNG

¹ 62 Stat. 154.